LISTING OF THE CLAIMS:

1. - 3. Canceled

4. (Currently Amended) ~~The~~ A surgical instrument ~~according to claim 1,~~ comprising;

an end effecter which executes medical treatment;

a support which supports the end effecter;

a base member which has distal and proximal ends, and pivotally supports a proximal end of the support on the distal end to enable the end effecter and the support to be rotated together with respect to the base member;

an elongate member which has a proximal end and a distal end at which the base member is located; and

an extended portion which is disposed in the distal end of the elongate member to prevent one of forward rotation and backward rotation of the base member with respect to the support, and also to extend and cover at least one side of the base member,

wherein the elongate member is a sheath, the sheath and the extended portion are formed integrally with each other, and the sheath and the extended portion are included in an insertion section inserted into a body cavity, and

the sheath is attached to the insertion section such that it is rotatable from a first position aligned with an axis of the insertion section to a second position where it is positioned at a predetermined angle relative to the axis of the insertion section, such that the extended portion of the sheath prevents the end effector from contacting biological tissue when the end effector rotates in a first direction different from the axial direction of the insertion section when the sheath is in the first position and the extended portion of the sheath prevents the end effecter from rotating in any direction when the sheath is in the second position.

5. (Previously Presented) The surgical instrument according to claim 4, wherein the extended portion has an annular distal end surface inclined relative to a central axis of

the sheath.

6. (Canceled)

7. (Previously Presented) The surgical instrument according to claim 4, wherein the sheath and the extended portion have rigidities to maintain shapes of the sheath and the extended portion when the elongate member is inserted into a biomedical tissue of a patient.

8. (Previously Presented) The surgical instrument according to claim 7, wherein the elongate member and the end effecter, have conductive areas to supply high-frequency power to the end effecter, and are electrically connected to each other, and

the sheath has an inner tube, and an insulating outer tube which covers a full periphery of an outer peripheral surface of the inner tube.

9. (Previously Presented) The surgical instrument according to claim 4, wherein the sheath is formed in a circular tube shape, and

a proximal end of the extended portion is formed as a notch in the circular tube shape with a bottom portion of the notch extending along a plane including the central axis of the sheath.

10. (Original) The surgical instrument according to claim 4, wherein the sheath is formed in a circular tube shape, and

a section of the extended portion orthogonal to the axis of the sheath has a circular arc shape.

11. (Original) The surgical instrument according to claim 4, wherein the insertion section and the end effecter have conductive areas to supply high-frequency power through the insertion section to the end effecter, and are electrically connected to each other, and

the sheath and an outer peripheral surface of the extended portion are covered with an insulating member.

12. (Original) The surgical instrument according to claim 4, further comprising;

an operation section which rotates the end effecter and the support pivotally supported by the base member with respect to the base member,

wherein the insertion section has first and second driving members which are arranged side by side, and which have distal and proximal ends, and is connected to the proximal ends of the first and second driving members so that the first driving member is driven to operate the end effecter, and the second driving member is driven to rotate the support.

13. (Currently Amended) The surgical instrument according to claim 12, wherein

the end effecter ~~is~~ has a pair of jaws to be relatively opened/closed,

at least one of the pair of jaws is supported by the support, and

the support is connected to the distal end of the second driving member to rotate in one plane in an axis of the second driving member.

14. (Original) The surgical instrument according to claim 13, further comprising:

a sliding member which is supported by at least one of the jaws, and slid in an axial direction of the support to open/close the jaws, and

a connection member which has distal and proximal ends, the sliding member being connected to the distal end of the connection member to open/close the jaws, and the distal end of the first driving member being connected to the proximal end of the connection member.

15. (Previously Presented) The surgical instrument according to claim 12,

wherein the first driving member has conductive areas to supply high-frequency power to the end effecter, and the first driving member and the end effecter are electrically connected to each other, and

the sheath and an outer peripheral surface of the extended portion are covered with an insulating member.

16. (Original) The surgical instrument according to claim 15, wherein the proximal end of the first driving member has insulation.

17. (Previously Presented) The surgical instrument according to claim 4, further comprising an attaching/detaching mechanism which enables the sheath to be attached/detached to/from the insertion section.

18. (Canceled)

19. (Currently Amended) The surgical instrument according to claim [[1]] 4, further comprising:

an end effecter operation section which is disposed in the proximal end of the elongate member to operate the end effecter; and

a rotation operation section which is disposed in the proximal end of the elongate member to rotate the support pivotally supported by the base member.

20. (Original) The surgical instrument according to claim 19, further comprising:

a first transmitting member which has distal and proximal ends, the proximal end being dynamically connected to the end effecter operation section, and the distal end being dynamically connected to the end effecter; and

a second transmitting member which has distal and proximal ends, the proximal end being dynamically connected to the rotation operation section, and the distal end being dynamically

connected to the support.

21. (Original) The surgical instrument according to claim 20, wherein the first transmitting member has at least a first part disposed in the elongate member and a second part disposed in the support, the first and second parts being dynamically connected.

22. (Currently Amended) The surgical instrument according to claim 20, wherein ~~the elongate member is a sheath, and~~ the first and second transmitting members are inserted through the sheath.

23. (Currently Amended) The surgical instrument according to claim [[1]] 4, wherein the support comprises a pivot, and the end effecter is supported by the pivot.

24. (Previously Presented) The surgical instrument according to claim 23, wherein the end effecter is constituted of a pair of jaws which are supported by the pivot, and relatively rotated by using the pivot as a rotary axis.

25. (Original) The surgical instrument according to claim 24, further comprising:

an opening/closing section which is disposed in the proximal end of the elongate member to open/close the pair of jaws relatively; and

a rotation operation section which is disposed in the proximal end of the elongate member to rotate the support pivotally supported by the base member.

26. (Original) The surgical instrument according to claim 25, further comprising:

a first transmitting member which has distal and proximal ends, the proximal end being dynamically connected to the opening/closing section, and the distal end being dynamically connected to the jaws; and

a second transmitting member which has distal and proximal ends, the proximal end being dynamically connected to the rotation operation section, and the distal end being dynamically connected to the support.

27. (Original) The surgical instrument according to claim 26, wherein the first transmitting member has at least a first part disposed in the elongate member and a second part disposed in the support, the first and second parts being dynamically connected.

28. (Currently Amended) The surgical instrument according to claim 26, wherein ~~the elongate member is a sheath, and~~ the first and second transmitting members are inserted through the sheath.

29. - 32. (Canceled)

33. (New) The surgical instrument according to claim 4, wherein the sheath is formed in a circular tube, and the extended portion has a shape obtained by cutting a circular tube integrally extended to the sheath in the axial direction from the sheath, and cutting the same from a direction orthogonal to the axis of the sheath.

34. (New) The surgical instrument according to claim 17, wherein the attaching/detaching mechanism has a bayonet connection structure.